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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/614,535 | 07/07/2003 | Donald K. Mitchell | MICRE-012XX | 9121 |
| 47654 | 7590 | 10/26/2006 | EXAMINER | |
| DAVID E. HUANG, ESQ. BAINWOOD HUANG & ASSOCIATES LLC 2 CONNECTOR ROAD SUITE 2A WESTBOROUGH, MA 01581 | | | WILLIAMS, DON J | |
| | | ART UNIT | | PAPER NUMBER |
| | | | | 2878 |
| DATE MAILED: 10/26/2006 | | | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|--------------------------|--------------------------|---------------------|--|
| Interview Summary | Application No. | Applicant(s) | |
| | 10/614,535 | MITCHELL, DONALD K. | |
| | Examiner Don Williams | Art Unit 2878 | |

All participants (applicant, applicant's representative, PTO personnel):

(1) Don Williams. (3) _____

(2) Attorney Jim Thompson. (4) _____

Date of Interview: 04 October 2006.

Type: a) Telephonic b) Video Conference
c) Personal [copy given to: 1) applicant 2) applicant's representative]

Exhibit shown or demonstration conducted: d) Yes e) No.
If Yes, brief description: _____.

Claim(s) discussed: 1, 15, 16, and 20.

Identification of prior art discussed: Ishizuka et al (5,569,913); Figure 2 of the Ishizuka et al reference shows a scale having only one track with diffractive gratings whereas the instant application shows a scale having two separate multiple tracks with diffractive gratings.

Agreement with respect to the claims f) was reached. g) was not reached. h) N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: An agreement was reached that the scale of the Ishizuka et al reference does not have multiple tracks as claimed and that the optical element of Ishizuka et al directs multiple beams onto the single scale. Applicant indicated that the claim would be amended to clarify minor issues.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Don Williams
Examiner's signature, if required